

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1218 be amended to read as follows:

- 1 Page 13, between lines 15 and 16, begin a new paragraph and insert:
- 2 "SECTION 16. IC 9-21-5-6 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) Except as
- 4 provided in subsection (e), whenever a local authority in the authority's
- 5 jurisdiction determines ~~on the basis of an engineering and traffic~~
- 6 ~~investigation~~ that the maximum speed permitted under this chapter is
- 7 greater or less than reasonable and safe under the conditions found to
- 8 exist on a highway or part of a highway, the local authority may
- 9 determine and declare a reasonable and safe maximum limit on the
- 10 highway. The maximum limit declared under this section may do any
- 11 of the following:
- 12 (1) Decrease the limit within urban districts, but not to less than
- 13 twenty (20) miles per hour.
- 14 (2) Increase the limit within an urban district, but not to more than
- 15 fifty-five (55) miles per hour during daytime and fifty (50) miles
- 16 per hour during nighttime.
- 17 (3) Decrease the limit outside an urban district, but not to less than
- 18 thirty (30) miles per hour.
- 19 (4) Decrease the limit in an alley, but to not less than five (5)
- 20 miles per hour.
- 21 (5) Increase the limit in an alley, but to not more than thirty (30)
- 22 miles per hour.
- 23 **The local authority must perform an engineering and traffic**
- 24 **investigation before a determination may be made to change a**
- 25 **speed limit under subdivision (2), (3), (4), or (5) or before the speed**

1 **limit within an urban district may be decreased to less than**  
 2 **twenty-five (25) miles per hour under subdivision (1).**

3 (b) A local authority in the authority's jurisdiction shall determine  
 4 by an engineering and traffic investigation the proper maximum speed  
 5 for all local streets and shall declare a reasonable and safe maximum  
 6 speed permitted under this chapter for an urban district. **However, an**  
 7 **engineering and traffic study is not required to be performed for**  
 8 **the local streets in an urban district under this subsection if the**  
 9 **local authority determines that the proper maximum speed in the**  
 10 **urban district is not less than twenty-five (25) miles per hour.**

11 (c) An altered limit established under this section is effective at all  
 12 times or during hours of darkness or at other times as may be  
 13 determined when appropriate signs giving notice of the altered limit are  
 14 erected on the street or highway.

15 (d) Except as provided in this subsection, a local authority may not  
 16 alter a speed limit on a highway or extension of a highway in the state  
 17 highway system. A city or town may establish speed limits on state  
 18 highways upon which a school is located. However, a speed limit  
 19 established under this subsection is valid only if the following  
 20 conditions exist:

- 21 (1) The limit is not less than twenty (20) miles per hour.
- 22 (2) The limit is imposed only in the immediate vicinity of the
- 23 school.
- 24 (3) Children are present.
- 25 (4) The speed zone is properly signed.
- 26 (5) The Indiana department of transportation has been notified of
- 27 the limit imposed by certified mail.

28 (e) A local authority may decrease a limit on a street to not less than  
 29 fifteen (15) miles per hour if the following conditions exist:

- 30 (1) The street is located within a park or playground established
- 31 under IC 36-10.
- 32 (2) The:
- 33 (A) board established under IC 36-10-3;
- 34 (B) board established under IC 36-10-4; or
- 35 (C) park authority established under IC 36-10-5;

- 1 requests the local authority to decrease the limit.
- 2 (3) The speed zone is properly signed."
- 3 Renumber all SECTIONS consecutively.  
(Reference is to HB 1218 as printed February 22, 2005.)

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Representative Pierce